

TOWN OF TIVERTON  
ZONING BOARD OF REVIEW  
MINUTES

MAY 5, 2010

The following petitions were received and were heard by the Tiverton Zoning Board of Review on Wednesday, May 5, 2010 at 7:30 p.m. at the Tiverton Town Hall, 343 Highland Road.

Members present: Lise Gescheidt (sitting as Chairperson), Richard Taylor, Susan Krumholz and Michael Mello (Alternate)

Also present were: Peter Ruggiero, Town Solicitor, Mary Ann Escobar, Court Reporter and Gareth Eames, Building Official.

1. A petition has been filed by David P. Martland of Silva, Thomas, Martland & Offenberg, LTD of Middletown, RI appealing the decision of the Building/Zoning Official to issue a letter dated February 10, 2010 regarding a Special Use/Variance petition dated December 8, 2009 in order to construct a 343 foot wind turbine tower at Fish Road, Tiverton, RI being Maps 1-12 & 2-11 Block 92 Card 17 on the Tiverton Tax Assessor's maps in a R40 zoning district.

**DECISION:** This matter was continued to July 7, 2010, as per agreement of the parties.

2. A petition has been filed by Millenium Renewable Energy, LLC by their Attorneys, Silva, Thomas, Martland & Offenberg, LTD of Middletown, RI requesting a special use permit to Article IV Section 5.d. of the Tiverton Zoning Ordinance in order to construct a 343 foot wind turbine tower at Fish Road, Tiverton, RI being Maps 1-12 & 2-11 Block 92 Card 17 on the Tiverton Tax Assessor's maps whereby a special use permit is required in a R40 zoning district.

**DECISION:** This matter was continued to July 7, 2010, as per agreement of the parties.

3. A petition has been filed by Millenium Renewable Energy, LLC by their Attorneys, Silva, Thomas, Martland & Offenberg, LTD of Middletown, RI requesting a variance to Article V Section 1 of the Tiverton Zoning Ordinance in order to construct a 343 foot wind turbine tower at Fish Road, Tiverton, RI being Maps 1-12 & 2-11 Block 92 Card 17 on the Tiverton Tax Assessor's maps exceeding maximum height which is currently allowed in a R40 zoning district.

**DECISION:** This matter was continued to July 7, 2010, as per agreement of the parties.

4. A petition has been filed by William C McLaughlin of 1640 Fish Road, Tiverton, RI requesting a variance to Article V Section 1 of the Tiverton Zoning Ordinance in order to allow a garage which was erected in 2007 to remain in its existing location at 1640 Fish Road, Tiverton, RI being Map 2-9 Block 113 Card 85F on Tiverton Tax Assessor's maps closer to the south side yard setback than is currently allowed in a R60 zoning district.

**DECISION:** This petition was continued to June 2, 2010, as the Board did not have a quorum to hear the matter.

5. A petition has been filed by George Alzaibak of Tiverton, RI requesting a special use permit to Article XII Section 7.a. of the Tiverton Zoning Ordinance in order to erect a new internally illuminated freestanding sign on the existing pole at 1215 Stafford Road, Tiverton, RI being Map 04-10 Block 113 Card 5 on Tiverton Tax Assessor's maps which is prohibited in a GC zoning district.

**DECISION:** This petition was continued to June 2, 2010, as the Board did not have a quorum to hear the matter.

Administrative Items: Ms. Krumholz made a motion to approve the April minutes. Mr. Taylor seconded. The Vote was unanimous. Mr. Taylor made a motion to approve the March minutes. Ms. Gescheidt seconded. The Vote was unanimous.

Ms. Krumholz made a motion to adjourn. Seconded by Mr. Mello. The Vote was unanimous.

Whereupon the meeting adjourned at 7:55 p.m.

C E R T I F I C A T E

I, Mary Ann C. Escobar, Registered Professional Reporter, and Commissioner for the State of Rhode Island, do hereby certify that the foregoing pages 1 through 2 are complete, true and accurate to the best of my knowledge, skill & ability.

I further certify that I am not interested in the event of the action.

IN WITNESS WHEREOF, I have hereunto subscribed my hand this 10th day of May, 2010.

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Mary Ann C. Escobar, RPR

My Commission expires: August 16, 2011.

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